

1 STEVEN G.KALAR  
2 Federal Public Defender  
2 JOYCE LEAVITT  
3 Assistant Federal Public Defender  
3 555 12<sup>th</sup> Street, Suite 650  
4 Oakland, CA 94607-3627  
4 (510) 637-3500

5 Counsel for Defendant JESSE YANG

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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, )  
11 ) No. CR 12-00651 YGR  
12 Plaintiff, )  
13 ) STIPULATION AND [PROPOSED]  
14 v. ) ORDER CONTINUING STATUS  
15 ) DATE; EXCLUSION OF TIME  
16 JESSE YANG, )  
17 )  
18 Defendant. )  
19 \_\_\_\_\_

**STIPULATION**

20 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in  
21 this case with respect to Jesse Yang, currently scheduled for Thursday, February 14, 2013, at 2:00  
22 p.m. before Honorable Yvonne Gonzalez Rogers, may be continued to Thursday, March 7, 2013,  
23 2013, at 2:00 p.m. for status. The reason for the request is that the status date was originally  
24 scheduled for February 7, 2013, at 2:00 but was re-set to February 14, 2013 due to the unavailability  
25 of the Court. Unfortunately, defense counsel is unavailable on February 14, 2013. In addition,  
26 counsel for Mr. Yang recently received computer discovery which was copied by the government  
onto hard drives provided to it by defense counsel. Counsel for Mr. Yang provided the computer

1 discovery to it's own expert within the last couple of weeks and their review is ongoing. A  
2 continuance to March 7, 2013, will enable the defense expert to continue with it's review of the  
3 computer data and the additional time may provide for a more informative status appearance. The  
4 parties therefore stipulate that the time from February 7, 2013, to March 7, 2013, should be excluded  
5 in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and  
6 (B)(iv) for continuity of counsel and adequate preparation of counsel so that defense counsel can be  
7 present at the appearance and the expert can continue with its review of the computer discovery.  
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9 DATED: 2/1/13

/s/  
10 JOYCE LEAVITT  
11 Assistant Federal Public Defender

12 DATED: 2/1/13

/s/  
13 OWEN MARTIKAN  
Assistant United States Attorney

14 I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all  
15 signatures within this e-filed document.

## 16 ORDER

17 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date for Jesse Yang,  
18 currently scheduled for Thursday, February 14, 2013, at 2:00 p.m. before Honorable Yvonne  
19 Gonzalez Rogers, is hereby continued to Thursday, March 7, 2013, at 2:00 p.m. for status.  
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21 IT IS FURTHER ORDERED that the time from February 7, 2013, to March 7, 2013, is  
22 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A)  
23 and (B)(iv) for continuity of counsel and adequate preparation of counsel so that defense counsel can  
24 be present at the time of the hearing and the expert for Mr. Yang can continue with it's review and  
25 examination of the computer discovery.  
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1 The Court finds that there is good cause and that the ends of justice served by the granting of  
2 the continuance outweigh the best interests of the public and the defendant in a speedy and public  
3 trial and the failure to grant the requested continuance would unreasonably deny counsel the  
4 reasonable time necessary for effective preparation, taking into account due diligence.  
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6 SO ORDERED.  
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8 DATED: February 4, 2013

  
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10 HON. YVONNE GONZALEZ ROGERS  
11 United States District Judge  
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